

PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA

CHIEF HEARING OFFICER DIRECTIVE

DOCKET NO. 2021-130-S ORDER NO. 2021-79-H

JUNE 14, 2021

CHIEF HEARING OFFICER: David Butler

DOCKET DESCRIPTION:

Joint Application for Approval of the Sale of Assets and Transfer of Facilities, Territory and Certificate of Public Convenience and Necessity from Synergy Utilities, L.P. to South Carolina Water Utilities, Incorporated

MATTER UNDER CONSIDERATION:

Petition to Intervene of Northwood Estates Homeowners Association

CHIEF HEARING OFFICER'S ACTION:

This matter comes before the Chief Hearing Officer on the Petition to Intervene of Northwood Estates Homeowners Association ("Northwood" or "the Petitioner"). The Petition is timely filed, and no objections to the intervention have been filed.

After it has been determined that the Petition has been timely filed, the next question for the Commission is to determine whether or not the petitioning party has clear factual support or grounds for the proposed intervention. S.C. Regs. 103-825A(3) requires that a party making a Petition to Intervene in a matter pending before the SC Public Service Commission must:

set forth clearly and concisely:

- (a) The facts from which the nature of the petitioner's alleged right or interest can be determined;**
- (b) The grounds of the proposed intervention;**
- (c) The position of the petitioner in the proceeding.**

According to the Petition, Northwood Estates Homeowners Association is an association representing approximately one hundred homeowners in Orangeburg, South Carolina, and the Petitioner is a customer and user of the services of the services of Synergy Utilities, L.P., services, which it alleges are inadequate and inequitable. As a customer of water and sewer services of Synergy, Northwood asserts that it has a direct and substantial interest in the matters to be addressed by the Commission in this Docket, and no other party to this Docket can adequately represent Petitioner's interests in these proceedings. Additionally, the Application in this Docket posits that the "public interest is served by having utility ownership committed to operating the utility and investing the necessary capital required for sustainable, efficient operation." Northwood states that it is interested in the potential

investment of capital in what it describes as the aging and inefficient Synergy system used by Petitioner.

From these facts, this Hearing Officer holds that Northwood Estates Homeowners Association has successfully satisfied the three criteria for intervention stated in the Regulation. The Petitioner's interest in this matter can clearly be discerned, as can the grounds for the intervention, and Northwood's position.

In this case, the Petition to Intervene was timely filed and there are no objections to the intervention. Accordingly, the Petition to Intervene of Northwood Estates Homeowners Association is hereby granted in this Docket. This ends the Chief Hearing Officer's Directive.